

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 518 OF 2019

Subhash Babu Patekar	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Aniket Vagal for Applicant.
Mr.R.M. Pethe, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 26th March 2019.

P.C. :

1] By a reasoned order dated 28th February 2019, the applicant was granted interim relief.

2] The record indicates that, the beneficiary under the Will, namely, Smt.Viajaya Zabak has been granted pre-arrest bail by this Court by its order dated 21st November 2016 in ABA No.1028 of 2016. The applicant at the relevant time was working as Sub-Registrar in the office of Sub-Registrar of Assurances at Ulhasnagar. The date of execution of will is 2nd December 2011 and the present crime is

registered on 2nd July 2015. The record further indicates that in pursuance of order dated 28th February 2019, the applicant has attended the Investigating Officer on the stipulated dates and has joined the process of investigation.

3] Prima-facie it appears that the applicant has no direct role to play in the present crime, as he after taking due care has effected registration of the will in-question.

4] In view thereof, the custodial interrogation of the applicant for further investigation of the present crime is not necessary.

Interim relief granted by order dated 28th February 2019 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

5] Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]